IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.10592 of 2006

Dated: June 23, 2006

Between:

MR. C.V. Shriram Iyer, S/o. Late
Shri Viwanathan Iyer, Age: about 40 years,
Occ: Business, R/o:301, Navya Apartments,
T.M. Colony, Mahindra Hills,
Secunderabad – 500 026.

… Petitioner

And

Controller of Examinations, Osmania University
College of Commerce and Business Management
Campus, Hyderabad, and others.

… Respondents

Order:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the respondent, Osmania University, in not allowing the petitioner to sit for M.B.A examinations, as illegal and arbitrary.

2. The petitioner, who joined a part-time course of Business

Management in the Osmania University, claims to have completed first semester and it is his case that he is entitled to write the examinations of first and second semester. It is stated that as his mother was unwell for some time, he was out of town, and hence he could not write the first semester examinations. It is further stated that after he returned, he was permitted to continue in the second semester, but his name has been struck off from the attendance register and he was still allowed to take classes. It is his grievance that the respondents are not allowing him to sit for the first and second semester examinations.

3. Counter affidavit has been filed on behalf of the respondent university stating that as per the academic regulations framed in this regard, to become eligible to write second semester examination, a student should necessarily put in 75% attendance in all the theory courses of the I module and should be registered for University Exam for module I. It is stated that the petitioner had not registered for the first semester examination held in the month of January/February 2006 and hence he is not eligible to appear for first and second semester examination to be conducted in July, 2006 straightaway.

4. As stated in the counter affidavit, it is to be seen that the petitioner did not register himself for the exams of the first semester as well as the second semester. Hence, he is not eligible to register himself for the second semester examinations. Moreover, the petitioner did not put in the requisite percentage of attendance. Hence, the action of the respondents in not permitting him to write the second semester examinations cannot be said to be either illegal or arbitrary.

5. The writ petition is devoid of merits and is accordingly dismissed. No order as to costs.

JUSTICE R. SUBHASH REDDY.

June 23, 2006
MRR